

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:04cr250**

**UNITED STATES OF AMERICA**

**vs.**

**TRACY LYNN PETTY**

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**ORDER**

**THIS MATTER** is before the Court upon motion of the defendant for review of detention. (Doc. No. 288).

The defendant pled guilty to Count One of the first superseding indictment on July 8, 2005, charging her with conspiracy to possess with intent to distribute 50 to 150 grams of cocaine base. (Doc. No. 254: Plea Agreement; Doc. No. 266: Acceptance and Entry of Guilty Plea). Pursuant to § 3145(b), the defendant seeks review of the magistrate judge's detention order entered October 12, 2004. (Doc. No. 65). The defendant previously sought review from Judge Mullen in December 2004, but was ordered to remain detained. (Doc. No. 288: Motion at ¶ 3).

Upon review of the record,<sup>1</sup> even in a light most favorable to the defendant, the Court finds the circumstances alleged by the defendant are insufficient for this Court to alter the Order of Detention, particularly considering the magistrate judge's finding that the defendant has previously been convicted of a drug felony and faces 20 years to life imprisonment (Doc. No. 65).

**IT IS, THEREFORE, ORDERED** that the defendant's motion is **DENIED**.

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<sup>1</sup>The Court has considered letters submitted by the defendant directly to the Court which will be filed as part of the record in this case.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S. Probation office.

**Signed: September 27, 2005**

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

